

## INFORMATION PAPER

ARCR-CC

6 June 2024

SUBJECT: 2023 Army Corrections Command (ACC) Annual Prison Rape Elimination Act (PREA) Report

1. PURPOSE. To publish the annual Prison Rape Elimination Act (PREA) Report and aggregate incident-based sexual abuse data collected, per §115.87 of Title 28, Code of Federal Regulations (C.F.R.), Part 115 (U.S. Department of Justice National Standards, to Prevent, Detect and Respond to Prison Rapes under PREA (Prisons and Jails Standards) that occurs at Army correctional facilities within the United States.

### 2. DISCUSSION.

a. The Prison Rape Elimination Act of 2003 (PREA; Public Law 108-79), was enacted to address sexual abuse problems in confinement facilities. Major provisions of PREA include the development of standards for detection, prevention, reduction, and punishment for prison rape cases. PREA requires all confinement facilities to collect, and report detailed information regarding sexual victimization of prisoners. The Act applies to public, private and federal institutions that house adult or juvenile offenders. Presidential Memorandum "Implementing the Prison Rape Elimination Act," May 17, 2012, directed Department of Defense (DoD) to implement PREA. Directive-type Memorandum (DTM) - 081, "Department of Defense Implementation of the Prison Rape Elimination Act", February 10, 2013, requires all Services to develop and implement policy and procedures to satisfy the requirements of PREA.

b. ACC Policy Letter 14, PREA, is the primary policy and procedural guidelines for Army correctional facilities in preventing, detecting, and responding to all forms of sexual abuse and sexual harassment. ACC continues to enforce its zero-tolerance policy on sexual abuse and sexual harassment involving prisoners. The goals of ACC are to provide safer facilities and promote a reporting culture free from retaliation. Enforcement of the National PREA standards continues to assist ACC in upholding operational security. Training and staff awareness continues to support ACC's efforts to protect potentially vulnerable prisoners from sexual abuse. This is accomplished by ACC facilities striving to identify those prisoners that are potentially at risk of being sexual abusers or victims. All allegations of sexual abuse and sexual harassment, regardless of severity or merit, are investigated. All sexual abuse allegations are immediately reported to the U.S. Army Criminal Investigation Division (USACID) to be investigated. For the Department of the Army, USACIDC is the applicable Military Criminal Investigation Organization (MCIO) for investigating sexual infractions non-criminal (e.g., administrative) investigations within an Army correctional facility falls under the cognizance of the facility commander. If USACID determines that an investigation does not fall under its authority, the case may be referred back to the facility's investigative section.

c. ACC collects data from each facility on all allegations of sexual abuse and sexual harassment, reviews staffing plans and works in conjunction with facilities to enhance and upgrade Closed Circuit Television (CCTV) surveillance. The data is reviewed and assessed to improve the effectiveness of its sexual abuse prevention, detection, training trends, future budget requirements, and responses to policies /procedures. The data is also used to complete the U.S. Department of Justice Survey of Sexual Victimization (SSV) when requested.

d. ACC had 645 prisoners confined on December 31, 2023. The number of new admissions to ACC facilities was 287, with 316 releases, and the average daily population was 662.

e. Audits: There were no PREA audits in 2023. All three facilities will have a PREA audit in 2024.

f. The Army's PREA Coordinator continued training sessions for new PREA Compliance Managers and staff. Training was conducted on MS Teams and in person. Meetings included review of PREA standards, FAQs, and DoD policies. ACC has a collaborative site for current policies, best practices, and helpful audit tools. Facility Compliance Managers reinforced PREA standards with staff and leadership, monitored watch mount training, and reviewed individual facility PREA policies.

g. In 2023: The Northwestern Joint Regional Correctional Facility (NWJRCF) opened a 150-bed facility. During construction the PREA Compliance Manager, NWJRCF Physical Security NCOIC worked with the contracted security company to install 242 cameras throughout the facility to ensure protection of the prisoner population against sexual abuse/harassment. The team conducted an analysis of the CCTV system to determine the best locations to conduct frisk searches within the facility. The frisk search locations provide ample viewing with different angles from multiple cameras. Also, the MWJRCF updated all showers in the housing units to ensure prisoners were not exposed during shower call. This was accomplished by installing wider and taller shower doors.

h. Based on the review of the data collected, the Army's efforts to have safer facilities, promote an improved reporting culture, and combat sexual abuse and sexual harassment in Army correctional facilities has been successful. The Army is committed to PREA and to ensuring its correctional facilities are safe for both prisoners and staff.

i. As required by §115.89 of 28 C.F.R. Part 115, this annual report is being made available to the public on the Office of the Provost Marshal General's (OPMG) website at <https://www.army.mil/opmg>.

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| <b>2022</b> |  |                 |           |
|-------------|--|-----------------|-----------|
| Facility    | <b>Allegations of Staff on Prisoner Sexual Abuse</b> |                 |           |
|             | Substantiated  | Unsubstantiated | Unfounded |
| USDB        | 1  | 0               | 7         |
| MWJRCF      | 0  | 0               | 1         |
| NWJRCF      | 0  | 0               | 0         |

| <b>2022</b>   |                 |           |   |
|---|-----------------|-----------|---|
| <b>Allegations of Prisoner on Prisoner Sexual Abuse</b> |                 |           |   |
| Substantiated   | Unsubstantiated | Unfounded |   |
| 0   | 0               | 0         | 0 |
| 2   | 0               | 2         | 2 |
| 0   | 0               | 0         | 0 |

| <b>2023</b> |  |                 |           |
|-------------|--|-----------------|-----------|
| Facility    | <b>Allegations of Staff on Prisoner Sexual Abuse</b> |                 |           |
|             | Substantiated  | Unsubstantiated | Unfounded |
| USDB        | 1  | 0               | 2         |
| MWJRCF      | 0  | 1               | 5         |
| NWJRCF      | 0  | 0               | 1         |

| <b>2023</b>   |                 |           |   |
|---|-----------------|-----------|---|
| <b>Allegations of Prisoner on Prisoner Sexual Abuse</b> |                 |           |   |
| Substantiated   | Unsubstantiated | Unfounded |   |
| 0   | 0               | 0         | 0 |
| 0   | 3               | 1         | 1 |
| 0   | 0               | 1         | 1 |

Key:  
 United States Disciplinary Barracks (USDB)  
 Midwest Joint Regional Correctional Facility (MWJRCF) Northwestern  
 Joint Regional Correctional Facility-JBLM (NWJRCF)

|          |   | <b>2022</b>     |           |  |
|----------|---|-----------------|-----------|--|
| Facility | <b>Allegations of Staff on Prisoner Sexual Harassment</b> |                 |           |  |
|          | Substantiated   | Unsubstantiated | Unfounded |  |
| USDB     | 1   | 0               | 7         |  |
| MWJRCF   | 1   | 0               | 4         |  |
| NWJRCF   | 0   | 0               | 0         |  |

|          |  | <b>2022</b>     |           |  |
|----------|--|-----------------|-----------|--|
| Facility | <b>Allegations of Prisoner on Prisoner Sexual Harassment</b> |                 |           |  |
|          | Substantiated  | Unsubstantiated | Unfounded |  |
| USDB     | 0  | 0               | 0         |  |
| MWJRCF   | 1  | 3               | 3         |  |
| NWJRCF   | 0  | 0               | 0         |  |

|          |   | <b>2023</b>     |           |  |
|----------|---|-----------------|-----------|--|
| Facility | <b>Allegations of Staff on Prisoner Sexual Harassment</b> |                 |           |  |
|          | Substantiated   | Unsubstantiated | Unfounded |  |
| USDB     | 1   | 0               | 3         |  |
| MWJRCF   | 0   | 1               | 8         |  |
| NWJRCF   | 0   | 0               | 0         |  |

|          |  | <b>2023</b>     |           |  |
|----------|--|-----------------|-----------|--|
| Facility | <b>Allegations of Prisoner on Prisoner Sexual Harassment</b> |                 |           |  |
|          | Substantiated  | Unsubstantiated | Unfounded |  |
| USDB     | 1  | 0               | 2         |  |
| MWJRCF   | 0  | 13              | 2         |  |
| NWJRCF   | 0  | 0               | 0         |  |

Key:  
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